



NATIONAL SECURITY AGENCY  
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 101619A  
1:18-cv-01129  
1 JULY 2019

ALEX ABDO  
KNIGHT FIRST AMENDMENT INSTITUTE  
COLUMBIA UNIVERSITY  
314 LOW LIBRARY  
535 WEST 116<sup>TH</sup> STREET  
NEW YORK, NY 10027

Dear Mr. Abdo:

This is an interim response to your Freedom of Information Act (FOIA) request of 9 May 2017 for

1. "All correspondence between the government and any of the individuals listed...relating to the prepublication review or publication of material intended to be or actually published in their personal capacities;
2. All inter- and intra-agency correspondence relating to the prepublication review or publication of material by any of the individuals listed below that was intended to be or actually was published by any of those individuals in their personal capacities;
3. All records reflecting decisions-interim, final, and after appeal-related to the prepublication review of material published by any of the individuals listed below in their personal capacities.

A copy of your request is enclosed. Your request has been processed under the FOIA and a final determination has been made for two prepublication cases. In this instance, all 20 documents (61 pages) have been denied in full.

Some of the withheld information has been found to be currently and properly classified in accordance with Executive Order 13526. The information meets the criteria for classification as set forth in Subparagraph (c) of Section 1.4 and remains classified TOP SECRET as provided in Section 1.2 of Executive Order 13526. The information is classified because its disclosure could reasonably be expected to cause exceptionally grave damage to the national security. Because the information is currently and properly classified, it is exempt from disclosure pursuant to the first exemption of the FOIA (5 U.S.C. Section 552(b)(1)).

In addition, this Agency is authorized by various statutes to protect certain information concerning its activities. We have determined that such information exists in these documents. Accordingly, those portions are exempt from disclosure pursuant to the third exemption of the FOIA, which provides for the withholding of information specifically protected from disclosure by statute. The specific statutes applicable in this case Title 50 U.S. Code 3024(i); and Section 6, Public Law 86-36 (50 U.S. Code 3605).

In addition, some of the information has been deleted from the enclosures pursuant to the fifth exemption of the FOIA (b)(5)). This exemption applies to inter-agency or intra-agency memoranda or letters that would not be available by law to a party other than an agency in litigation with the agency, protecting information that is normally privileged in the civil discovery context, such as information that is part of a predecisional deliberative process, attorney-client privileged information or attorney-client work product.

In addition, information regarding other individuals has been deleted from the enclosures in accordance with 5 U.S.C. 552 (b)(6). This exemption protects from disclosure information which would constitute a clearly unwarranted invasion of personal privacy. In balancing the public interest for the information you request against the privacy interests involved, we have determined that the privacy interests sufficiently satisfy the requirements for the application of the (b)(6) exemption.

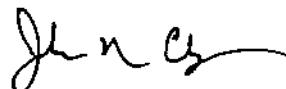
The Defense Intelligence Agency has asked that we protect information pursuant to 5 U.S.C. 552 (b)(1), (b)(3) statutes 10 U.S.C. Section 424 and 50 U.S.C. Section 3024(i), (b)(4) for copyrighted material, b(5) and b(6).

The Central Intelligence Agency has asked that we protect information pursuant to 5 U.S.C. 552 (b)(1), (b)(3) statutes:

Section 6 of the Central Intelligence Act of 1949, 50 U.S.C. Section 3507,  
Section 102A(i)(1) of the National Security Act of 1947, 50 U.S.C.  
3024(i)(1)  
as well as b(5) and b(6).

Responsive records related to other prepublication cases are still being worked and will be produced as quickly as possible.

Sincerely,



JOHN R. CHAPMAN  
Chief, FOIA/PA Office  
NSA Initial Denial Authority

Encls:  
a/s